

**To:** Bilhimer, Dustin (ECY)[DBIL461@ECY.WA.GOV]; Weiss, Leanne (ECY)[lewe461@ECY.WA.GOV]; akol461@ecy.wa.gov[akol461@ecy.wa.gov]; Zell, Christopher[zell.christopher@epa.gov]; Mann, Laurie[mann.laurie@epa.gov]  
**From:** Cope, Ben  
**Sent:** Mon 12/19/2016 7:39:53 PM  
**Subject:** RE: Notes from 12/14/16 Meeting

Dustin, Leanne, All –

Suggest you add “time” to your averaging list (see green edit below). That was the primary issue in Pend Oreille for the Tribe. Tony Whiley was the technical lead. Thanks. –BC

Ben Cope, Environmental Engineer

Office of Environmental Review and Assessment

EPA Region 10

206-553-1442

**From:** Bilhimer, Dustin (ECY) [mailto:DBIL461@ECY.WA.GOV]  
**Sent:** Friday, December 16, 2016 1:13 PM  
**To:** Weiss, Leanne (ECY) <lewe461@ECY.WA.GOV>; akol461@ecy.wa.gov; Zell, Christopher <zell.christopher@epa.gov>; Cope, Ben <Cope.Ben@epa.gov>; Mann, Laurie <mann.laurie@epa.gov>  
**Subject:** RE: Notes from 12/14/16 Meeting

My suggestions are in red font below. I would also recommend asking Paul Pickett about how he did the vertical averaging for the Pend Oreille TMDL. He is here in EAP.

**From:** Weiss, Leanne (ECY)  
**Sent:** Friday, December 16, 2016 1:08 PM  
**To:** Kolosseus, Andrew (ECY) <AKOL461@ECY.WA.GOV>; Bilhimer, Dustin (ECY) <DBIL461@ECY.WA.GOV>; Zell, Christopher <zell.christopher@epa.gov>; Cope, Ben <Cope.Ben@epa.gov>; Mann, Laurie <mann.laurie@epa.gov>  
**Subject:** Notes from 12/14/16 Meeting

Hello all,

I wanted to share my notes from our meeting on Wednesday. My full notes are attached and a summary is provided below. Please let me know if you feel anything does not accurately reflect our conversation.

### **Averaging**

-

**Summary:** EPA is ok with averaging techniques, but Ecology will need to provide a detailed explanation of how they were carried out, how that method is protective of designated aquatic uses and our reasoning for doing so. Ecology will need to do this for all averaging (vertical and horizontal, and over time).

**Next Steps:** Chris is going to pass on some information to Leanne/Andrew about the Pend Oreille case and what was done in the Chesapeake.

### **Bubble/Phased Allocation Approach**

-

**Summary:** If we use the bubble/phased TMDL approach the Puget Sound will likely, but not necessarily, need to become a TMDL. SWRO will move forward under the assumption that the bubble/phased approach is a go.

**Next Steps:** Dustin is going to move forward with discussing the Puget Sound/TMDL issue with HQ. There is an internal senior advisory team meeting in January where he hopes to get some feedback. Leanne and Andrew will move forward in getting approval from SW and the WQP to move forward with the phased approach. We plan to brief Rich and then queue up a meeting with Heather.

## **Reasonable Assurance**

-

**Summary:** The issue of reasonable assurance associated with Capitol Lake will not prevent the TMDL from being approved, but we should all be ready for the potential that it might bring litigation.

**Next Steps:** None for now, in a year we should meet with Nina Bell at NWEA to generally discuss issues and concerns.

## **Future Agenda Items and Meetings**

-

At the next meeting we will have a general discussion about aesthetic use. The main purpose will be for Ecology to hear EPA's concerns/thoughts and ask questions.

Our next meeting will be Tuesday, December 20<sup>th</sup> at 4:00. Dustin is inviting Helen Bresler to attend.

*Dial in number:* Ex. 6 - Personal Privacy

*Access Code:* Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Looking forward to speaking next week.

Best,

Leanne

Leanne Weiss

Budd Inlet & Capitol Lake TMDL Lead

Washington Department of Ecology

Leanne.Weiss.ecy.wa.gov | 360.407.0243